

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59723 of 2021

Arising Out of PS. Case No.-142 Year-2021 Thana- ROH District- Nawada

1. NAUSHAD Son of Yasin Resident of Village - Sataua, P.s.- Giriya, Distt.- Nalanda.
2. RAVI KUMAR Son of Vinod Ram Resident of Village - Milki, P.s.- Bangara, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Ms. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Roh
P.S. Case No. 142 of 2020 registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The Police got information that one Tata Indica
bearing registration No. BR27E-4495 and one Scorpio bearing
Registration No. JH12D-5875 loaded with illicit foreign liquor
were moving, proceeded towards the place of occurrence and
upon seeing the Police party, the drivers of both the vehicles
started fleeing away but they were apprehended and disclosed



their names as Ritu Raj @ Ansh Raj, Naushad (petitioner No. 1), Ravi Kumar, (Petitioner No. 2), Chandan Kumar and Munna Kumar. On search, a total quantity of 90 litres of illicit foreign liquor from Indica Car and 221.625 litres from the Scorpio vehicle were recovered.

Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case. He further submits that the petitioners had taken lift in the Tata Indica Car from Giridih to reach Nawada on paying fare of Rs.160/- and they were not aware about the fact that the illicit foreign liquor being kept therein. He next submits that the petitioners have got no criminal antecedent and are in custody since 15.7.2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioners had taken lift in the Tata Indica Car, they are in custody since 15.7.2021 having clean antecedent and there is no likelihood that the petitioners will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be



released on regular bail on furnishing bail bonds of Rs.10,000/-
(Ten thousand) each with two sureties of the like amount each to
the satisfaction of learned Additional District and Sessions
Judge II-cum-Special Judge, Excise Act, Nawada, in connection
with Roh P.S. Case No. 142 of 2021.

(Anil Kumar Sinha, J)

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